

Amendments to the Drawings:

The attached eight replacement sheets of drawings correct minor informalities and generally conform to USPTO drawing guidelines. Sheets 1-8, which include FIGS. 1, 2, 3, 4A, 4B, 5, 6, 7, 8, 9, 10, 11 and 12, replace the original sheets 1-11, which include FIGS. 1, 2, 3, 4A, 4B, 5, 6, 7, 8, 9, 10, 11 and 12.

Attachment: Eight Replacement Sheets

REMARKS

The description has been amended to secure correspondence with the drawings.

Claims 10 and 27 have been canceled without prejudice.

Claims 1, 12, 19, 28, 29 have been amended and new Claims 30-31 have been added. Support for the amendment of Claims 1, 12, 19, 28, 29 and for new Claims 30-31 appears in the specification at least at page 22, line 9 to page 24, line 11 and in FIG. 11.

The Objection to the Drawings should be Withdrawn.

Enclosed herein are eight replacement sheets of drawings having "REPLACEMENT SHEET" noted at the top margin per the request of the Examiner. These replacement sheets of drawings replace the original drawings as filed on January 30, 2002. Please disregard the drawings filed on April 16, 2002.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of the objection to the drawings.

Claims 1-9, 11-26, 28-29 are patentable over Smith et al. (5,367,651).

The features of Claim 10 have been incorporated into amended Claim 1 and Claim 10 has been canceled without prejudice. Accordingly, the rejection of Claim 10 shall be discussed as applied to amended Claim 1.

With regard to Claim 10, the Examiner states:

-scheduling instructions comprises generating compensation code. (Smith: Smith recognizes that **register allocation may require 'spill code'** to be generated. Col. 9, line 67-col. 10, line 1, "... spill code (generating compensation code) will have to be introduced.") (Office Action, page 7, emphasis added.)

Accordingly, the Examiner admits that Smith teaches that **register allocation**, not instruction scheduling, may require spill code to be generated.

For at least the above reasons, the Examiner has failed to callout where Smith et al. teaches or suggests:

A method comprising:  
allocating registers;  
building a trace comprising basic blocks; and  
**scheduling instructions within said trace after said allocating registers comprising:**  
moving a first instruction from a home block of said basic blocks to a destination block of said basic blocks; and  
**generating compensation code comprising:**  
creating a compensation basic block; and  
inserting a copy of said first instruction in said compensation basic block,

as recited in amended Claim 1. Accordingly, Claim 1 is allowable over Smith et al.

Claims 2-9, 11 and new Claims 30-31, which depend from Claim 1, are allowable for at least the same reasons as Claim 1.

Claims 12, 19, 28 and 29 are allowable for reasons similar to Claim 1. Claims 13-18, which depend from Claim 12, are allowable for at least the same reasons as Claim 12. Claims 20-26, which depend from Claim 19, are allowable for at least the same reasons as Claim 19.

For the above reasons, Applicant respectfully requests reconsideration and withdrawal of this rejection.

#### Conclusion

Claims 1-9, 11-26, 28-31 are pending in the application. For the foregoing reasons, Applicant respectfully requests allowance of all pending claims. If the Examiner has any questions relating to the above, the

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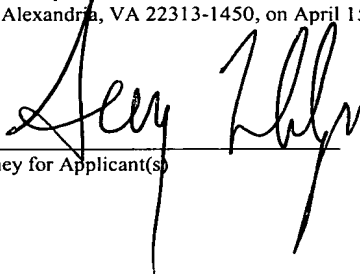
Amdt. dated April 15, 2005

Reply to Office Action of January 25, 2005

Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

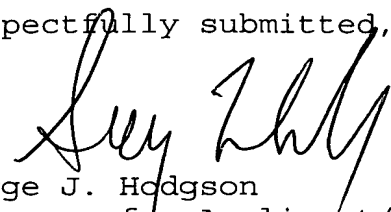
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 15, 2005

  
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Attorney for Applicant(s)

April 15, 2005  
Date of Signature

Respectfully submitted,

  
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